

**REGULAR MEETING
CITY COUNCIL
July 6, 2006**

ROLL CALL:

MR. WOJCIK, MR. MCGRATH, MR. RYAN, MR. DUNNE, MR. KROGH, MRS. COLLIER, MR. CAMPANA, MRS. MAHAR
DERGURAHIAN, PRESIDENT BAUER

ABSENT:

Local Law No. 2 for 2006 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Collier, DerGurahian

L.L. #2

LOCAL LAW NO. 2 OF 2006

**A LOCAL LAW AMENDING SECTION 4 OF
LOCAL LAW NO. 2 OF 1987, TO REVISE THE TROY EMPIRE ZONE
(FORMERLY KNOWN AS AN ECONOMIC DEVELOPMENT ZONE)**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TROY, COUNTY OF
RENSSELAER, STATE OF NEW YORK, AS FOLLOWS:

Section 1. By Local Section 4 of Law No. 2 of 1987, this City Council authorized an applicant for the designation of an Economic Development Zone relative to certain land within the City of Troy.

Section 2. That the City of Troy has received Economic Development Zone approval from New York State.

Section 3. By Local Law No. 1, adopted in the year 1989, the Economic Development Zone was expanded.

Section 4. By Local Law No. 3, adopted in the year 1995, the Economic Development Zone was expanded a second time.

Section 5. By Local Law No. 6, adopted in the year 1999, the Economic Development Zone was expanded a third time.

Section 6. By Local Law No. 6, adopted in the year 2002, the Economic Development Zone, now called the Empire Zone, was expanded a fourth time.

Section 7. It is the desire of this City Council to authorize an application to revise the Empire Zone to include 1,272.51 acres located in the City of Troy.

Section 8. The City of Troy is hereby authorized to submit an application to revise the Empire Zone to include the property described in Section 7 of this Local Law.

Section 9. The boundary of the Empire Zone, as described in Local Law No. 2 of 1987, Local Law No. 1 of 1989, Local Law No. 3 of 1995, Local Law No. 6 of 1999, and Local Law No. 6 of 2002, Local Law #2 for 2005 and Local Law #2 for 2006 shall be amended to include the properties as defined in the attached proposed 2006 change map, prepared by C.T. Male Associates, P.C., attached hereto and made a part hereof.

Section 10. The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Local Law.

Section 11. In all other respects, Local Law No. 2 of 1987, Local Law No. 1 of 1989, Local Law 3 of 1995, Local Law No. 6 of 1999, and Local Law No. 6 of 2002 shall remain in full force and effect.

Section 12. This Local Law shall take effect immediately upon the filing with the New York State Secretary of State.

Approved as to form, June 22, 2006

David B. Mitchell, Corporation Counsel

Local Law ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved and returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Local Law No. 3 for 2006 Date July 6, 2006
Introduced by Council Member DerGurahian
At the request of _____ Seconded by Dunne

L.L. #3

LOCAL LAW NO. 3 OF 2006

“REINVEST IN HISTORIC TROY EXEMPTION (RITE)”

A LOCAL LAW CREATING CHAPTER 257 “TAXATION” – Article XI, OF THE CODE OF THE CITY OF TROY CREATING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION FOR CERTAIN HISTORIC PROPERTY IMPROVEMENTS PURSUANT TO SECTION 444-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW

WHEREAS, Section 444-a of the NYS Real Property Tax Law authorizes the adoption of a local law to grant real property tax exemptions for certain improvements to historic properties;

BE IT ENACTED by the City Council of the city of Troy as follows:

Chapter 83 of the City Code is hereby created as:

The Historic Property Improvement Exemption.

257-37. Exemption Granted.

Historic property, which for the purposes of this Article shall mean any real property that has been designated as a landmark, or is a property that contributes to the character of an historic district located within the City of Troy, that is altered or rehabilitated shall be exempt from taxation levied by the City of Troy on the increase in assessed value attributable to such alteration or rehabilitation to the extent provided hereinafter, pursuant to section 444-a of the New York State Real Property Tax Law. The length of said exemption shall be ten years. Such exemption shall be computed in accordance with the following table:

<u>Year of exemption</u>	<u>Percentage exempt from tax</u>
1	100
2	100
3	100
4	100
5	100
6	80
7	60
8	40
9	20
10	0

257-38. Requirements.

No exemption pursuant to this Article shall be granted for alteration or rehabilitation unless:

- A. Such alterations or rehabilitation was commenced subsequent to the effective date of this Article.
- B. Such property has been designated as a landmark, or is a property that contributes to the character of an historic district within the City of Troy that was created pursuant to § 96-a or § 119-dd of the New York State General Municipal Law.
- C. Such alterations or rehabilitation are made for means of historic preservation.
- D. The alteration or rehabilitation is not ordinary maintenance or repairs.
- E. Such alterations or rehabilitation of historic property meet guidelines and review standards in the City Code regarding historic preservation.
- F. Such alterations or rehabilitation of historic property are approved by the Troy Historic Preservation Commission or Review Board.

257-39. Time to file application

Any exemption pursuant to this Article shall be granted only upon application by the owner thereof on the form prescribed by the state board. The application shall be filed with the Assessor of the City of Troy on or before the taxable status date of March 1 to be eligible for an exemption to be entered on the assessment roll prepared on the basis of said taxable status date. Improvements to historic property must be completed to qualify for the exemption pursuant to this Article.

Section 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

Approved as to form, June 22, 2006

David B. Mitchell, Corporation Counsel

Local Law ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

Ordinance No. 1 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** DerGurahian

ORD. # 1

ORDINANCE AMENDING THE 2006 CITY BUDGET TO ACCEPT DONATED FUNDS IN THE AMOUNT OF \$950.00 FROM HANNAFORD FOR THE PURPOSE OF PURCHASES RELATING TO THE POWERS PARK CONCERT SERIES

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2006 Budget is hereby amended to accept donated funds in the amount of \$950.00 and appropriating those funds to the Recreation Civic Services line to cover necessary purchases of as per the attached Schedule "A" entitled:

"Concert Series Donation"

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form,

David Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 2 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** McGrath

ORD. #2

ORDINANCE AMENDING THE 2006 CITY BUDGET TO TRANSFER FUNDS WITHIN THE GENERAL, WATER, AND SEWER FUNDS BUDGET LINES

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2006 budget is herein amended as set forth in Schedule A entitled:

July 2006 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form,

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:**Ayes: 9****Noes: 0****Abstain: 0****Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 3 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Krogh

ORD. #3

**ORDINANCE AUTHORIZING CAPITAL FUND TRANSFERS AND AMENDING THE 2006
GENERAL FUND FOR THE PURPOSE OF CLOSING CERTAIN CAPITAL ACCOUNTS THAT
HAVE BEEN PREVIOUSLY COMPLETED AND HAVE A RESIDUAL BALANCE REMAINING**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2006 budget is herein amended as set forth in Schedule A entitled:

2006 Capital Fund Interfund Transfer

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form,

David Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:**Ayes: 9****Noes: 0****Abstain: 0****Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06**

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 4 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Collier

ORD. #4

**ORDINANCE AMENDING THE FEDERAL ASSET FORFEITURE SPECIAL REVENUE ACCOUNT
TO RECOGNIZE ADDITIONAL FEDERAL ASSET REVENUES AND APPROPRIATE FUNDS**

The City of Troy, convened in City Council, ordains as follows:

Section 1. A special revenue account is hereby amended to receive additional revenues from the Federal Asset Forfeiture Account, and appropriate funds within as provided in Schedule "A" entitled:

"Federal Forfeiture Funds"

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form,

David Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 5 **Date** July 6, 2006

Introduced by Council Member Bauer

At the request of Administration **Seconded by** McGrath

ORD. #5

**ORDINANCE AMENDING THE 2006 GENERAL FUND CITY BUDGET
TO ACCEPT A "JUVENILE CRIME REDUCTION STRATEGY" GRANT AND
RELATED GRANT FUNDS FROM THE
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

The City of Troy, convened in city Council, ordains as follows:

Section 1. The 2006 City General Fund Budget is hereby amended to accept NYS DCJS grant fund revenue and modify appropriations within the 2006 Police Department Operating Budget as provided in Schedule "A" entitled:

"Juvenile Crime Reduction Strategy Grant"

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, June 26, 2006

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 6 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Collier

ORD. #6

**ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF TROY TO
PURCHASE A PARCEL OF REAL PROPERTY LOCATED AT
25 PRESIDENT STREET, TROY, NEW YORK,
WITH A TAX MAP NUMBER 90.70-1-1, HAS 3.07 ACRES,
AND IS CURRENTLY OWNED BY JACK COX**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The Mayor of the City of Troy, on behalf of the City of Troy, is desirous to purchase a piece of real property located at 25 President Street in the City of Troy, a parcel with approximately 3.07 acres currently owned by Jack Cox.

Section 2. The Mayor intends to purchase the parcel defined hereinabove for the desired purpose of converting it to a Park for the use, enjoyment and recreation of all the citizens and visitors of the City of Troy.

Section 3. The proposed Purchase and the Sale of Contract, attached hereto and made a part hereof, if approved by the City Council with the passage of this ordinance, hereby authorizes the Mayor to proceed with the purchase of the parcel defined herein.

Section 4. The City Council of the City of Troy hereby approves the purchase of the property defined herein at the agreed-upon price of \$400,000.00 consistent with the terms of the purchase and sale agreement attached hereto and made a part hereof.

Section 5. The totality of the purchase price will be funded from two sources: the first being a \$195,000 grant courtesy of Governor George Pataki through a 2004 grant earmarked for such purposes and; The balance of \$205,000 will be funded through a member item, earmarked for this purchase, from the Office of Senator Joseph L. Bruno.

Section 6. This Act will take effect immediately.

Approved as to form, June 26, 2006

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 1 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Ryan

RES. #1

RESOLUTION AUTHORIZING ISSUANCE OF A COMMERCIAL LESSOR'S BINGO LICENSE TO BINGO GREEN, INC., D/B/A "TROY ATRIUM BINGO"

WHEREAS, Bingo Green, Inc. has, pursuant to the General Municipal Law, filed an application asking that the City issue a commercial lessor's Bingo license; and

WHEREAS, the City Council of the City of Troy has held a public hearing to determine if there is a need and a public advantage to having a commercial lessor's license issued.

WHEREAS, it appears that Bingo Green, Inc., has satisfied all the requirements to have a commercial lessor's bingo license issued to it.

NOW THEREFORE, IT IS DETERMINED THAT, there exists a public need, and public advantage will be served by the issuance of a commercial lessor's bingo license to Bingo Green, Inc.; and

IT IS FURTHER RESOLVED, that the City Clerk of the City of Troy on behalf of the City Council of the City of Troy shall issue a commercial lessor's bingo license to Bingo Green, Inc., permitting it to lease space to qualified organizations to conduct bingo games within the City of Troy, as more particularly set forth in its application file requesting such a license issue, all in compliance with and under the restrictions contained in the General Municipal Law of the State of New York;

AND IT IS FURTHER RESOLVED, that said license shall be valid for a period of not more than one year from the date of its first issuance;

AND IT IS FURTHER RESOLVED, that if at the end of the licensed period Bingo Green, Inc. shall decide to apply for a renewal of its license, said renewal application shall come before the City Council for renewal and shall not be issued merely upon the approval of the City Bingo Inspector.

Approved as to form, June 28, 2006

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 2 Date July 6, 2006
Introduced by Council Member Bauer
At the request of Administration Seconded by McGrath

RES. #2

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF TROY TO ENTER INTO AN AGREEMENT WITH RENSSELAER COUNTY FOR THE 2006 STOP-DWI PROGRAM

WHEREAS, the City of Troy and the County of Rensselaer are interested in enforcing existing DWI laws and in decreasing the number of alcohol-related motor vehicle accidents through special counter-measure enforcement programs, and

WHEREAS, the parties are interested in curbing the use and abuse of alcohol among minors, and

WHEREAS, this goal can be accomplished by increasing public awareness of the dangers of impaired driving by maintaining a high visibility in the law enforcement area by increasing enforcement to deter the motoring public from driving while impaired and by enforcing alcohol laws as they relate to minors.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Troy hereby authorizes the Mayor to enter into an agreement for the 2006 Stop DWI program pursuant to the terms of the agreement attached hereto and made a part hereof.

Approved as to form, June 28, 2006

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 3 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Krogh

RES. #3

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF TROY TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY AT ALBANY, STATE UNIVERSITY OF NEW YORK, FOR THE UNIVERSITY TO COMPLETE A COMMUNITY NEEDS AND RESOURCE ASSESSMENT, DEVELOP A COORDINATED

**ACTION PLAN, AND PERFORM ALL OF THEIR SERVICES AS REQUIRED UNDER THE NEW YORK
STATE'S YOUTH VIOLENCE REDUCTION STRATEGY**

WHEREAS, the City of Troy has received a grant award under New York State's Youth Violence Reduction Strategy from the New York State Division of Criminal Justice Services, to reduce violent crime committed by youth in targeted high crime areas;

WHEREAS, the grant award requires the City of Troy to complete a community needs and resource assessment and to develop a coordinated action plan; and

WHEREAS, the contractor, the University at Albany, State University of New York, is ready, willing and able to complete a Community Needs and Resource Assessment, develop a coordinated action plan, and possesses or can make available all necessary qualified personnel, licenses, facilities in expertise to perform the services required pursuant to the terms of the agreement, attached hereto and made a part hereof; and

WHEREAS, the City of Troy issued a request for proposals (RFP) for the preparation of a juvenile crime reduction strategy; and

WHEREAS, the City of Troy received a single response to the RFP from the SUNY School of Criminal Justice in the amount of \$60,451.00 for their consulting services; and

WHEREAS, of that amount, \$55,000.00 will be paid to the grant funding, and the remaining \$5,451.00.00 will be paid through the consultant line item in the police budget.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Troy hereby authorizes the Mayor to execute an agreement with the University at Albany, State University of New York, for the completion of a community needs and resource assessment and to develop a coordinated action plan consistent with the terms of the agreement attached hereto and made a part hereof.

Approved as to form,

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 4 **Date** July 6, 2006

Introduced by Council Member Bauer

At the request of Administration **Seconded by** Campana

RES. #4

**RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF TROY
TO ENTER INTO AN AGREEMENT WITH CORNERSTONE TELEPHONE COMPANY, LLC (CSTC) FOR
INTERNET AND LOCAL TELECOMMUNICATIONS SERVICES FOR THE CITY OF TROY**

WHEREAS, the City of Troy requires local telecommunications services and internet services, and

WHEREAS, the City of Troy has been using the telecommunications services of Cornerstone, on a month-to-month basis beginning in May of 2006, and

WHEREAS, Tenn Chen and George Rogers have negotiated for the above-defined services with Cornerstone and, given the extensive needs of the City, are satisfied with the quality of services provided.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Troy hereby authorizes the Mayor to execute the services contract, attached hereto and made a part hereof, with Cornerstone Telephone Company, LLC.

Approved as to form, June 29, 2006

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Resolution No. 5 Date July 6, 2006
 Introduced by Council Member DerGurahian
 At the request of _____ Seconded by Wojcik, McGrath

RES. #5

**RESOLUTION AUTHORIZING THE CITY TO ENTER
 INTO AN INTER-MUNICIPAL AGREEMENT WITH THE
 CITY OF RENSSELAER, TOWN OF NORTH GREENBUSH,
 RPI TECH PARK AND RENSSELAER COUNTY TO
 ESTABLISH AND FINALIZE THE CONSTRUCTION OF
 “THE MICKEY MAHAR MEMORIAL WATERFRONT TRAIL”**

WHEREAS, the City of Troy, a municipal corporation located in Rensselaer County, New York desires to assist in the design, create and maintain a waterfront trail, along a 4.5 mile stretch of the Hudson River between Livingston Avenue and the Menands Bridge; and

WHEREAS, all the parties to this agreement herein have agreed to name this waterfront trail the “Mickey Mahar Memorial Waterfront Trail,” and

WHEREAS, the City of Rensselaer, Town of North Greenbush, RPI Tech Park and Rensselaer County have all agreed to participate and support this effort, and

WHEREAS, the funding for this trail will be derived from the New York State Department of Transportation- Transportation Enhancement Program (TEP).

NOW THEREFORE BE IT RESOLVED, in consideration of the foregoing, the City Council of the City of Troy authorizes the Mayor to enter into an inter-municipal agreement with the parties defined hereinabove to design and create and maintain the “Mickey Mahar Memorial Waterfront Trail.”

Approved as to form, June 29, 2006

 David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

Resolution No. 6 **Date** July 6, 2006
Introduced by Council Member Bauer
At the request of Administration **Seconded by** Ryan

RES. #6

RESOLUTION APPOINTING COMMISSIONER OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons, as identified in Schedule “A”, attached hereto and made a part hereof, Commissioners of Deeds for the City of Troy for the terms identified in Schedule “A”.

Approved as to form, June 28, 2006

David B. Mitchell, Corporation Counsel

Resolution ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor 07-07-06 for Executive Action – Approved, returned 07-10-06

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Motion to adjourn by McGrath; seconded by Dunne

Meeting adjourned at 8:00pm.